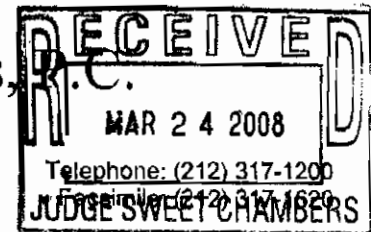


# Michael Faillace & Associates, P.C.

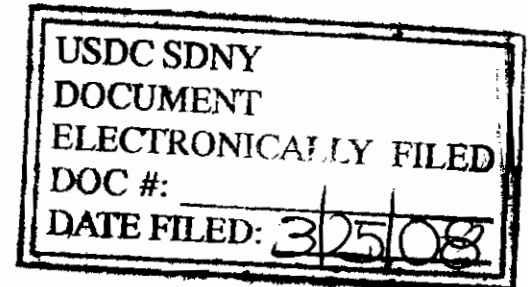
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March 24, 2008



**VIA FACSIMILE (with permission) / (212) 805-7925**

Hon. Robert W. Sweet  
United States District Judge  
Daniel Patrick Moynihan  
United States Courthouse  
500 Pearl St., Room 1920  
New York, NY 10007

*So ordered*  
*Sweet*  
*3.25.08*

Re: Castro et al v. Spice Place, Inc. et al  
S.D.N.Y. Index No. 1:07-cv-04657-RWS

Dear Judge Sweet:

We represent the Plaintiffs in the above-referenced matter. We submit this letter to request that your honor postpone the upcoming settlement conference we have scheduled for Thursday March 27 at 10:30 a.m. for 2 weeks

There are three reasons underlying our request. First, On Friday March 21 the defendants offered an additional sum of money to the plaintiffs for final settlement of the case. Due to the large number of plaintiffs in this case, we need more time to communicate this offer to our clients, and to help them make the decision of whether or not they will accept it. Second, the Attorney General's office has informed us that there are potential factual discrepancies between our calculation of potential damages and the AG's Office's calculations for our clients. We need additional time to work out these divergences before we can settle the case. Third, as of today, Peter Eikenberry, Esq. has agreed to join me as co-counsel in representing the plaintiffs in this matter. However, he has not yet had an opportunity to fully review the documentation that we have exchanged with the defendants and the Attorney General's office in our attempt to settle this case, and due to several scheduling conflicts (including multiple depositions), will not be fully able to turn his attention to the matter for the next two weeks.

We therefore respectfully request that Your Honor postpone the March 27 conference for a period of at least 2 weeks so that we can sort out the 3 issues I outlined above. Plaintiffs believe that the postponement may be in all the parties' interests, as it may further settlement

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**CONFIDENTIAL MATERIAL FOR  
USE AT SETTLEMENT CONFERENCE**

discussions, and is clearly necessary to give Plaintiffs' new co-counsel an opportunity to become familiar with this matter. We thank the Court in advance for its consideration.

Sincerely,



Michael Faillace

cc: Robert David Lipman (via facsimile)  
Lipman & Plesur, LLP  
516-931-0030

Jenifer Brand (via facsimile)  
New York State Attorney General's Office  
212-416-8694

Richard E. Signorelli (via facsimile)  
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212- 254-1396